

# Politicians prosecuted for their statements do not risk electoral loss

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Sentenced or not, a politician prosecuted for statements made does not risk electoral loss due to a criminal case. However, the trust in politics drops, reveals international Vidi research from Professor of Political Science Joost van Spanje. This is a topical issue in view of the second trial of Dutch politician Geert Wilders and provides food for thought for

the Dutch public prosecutor and also the media.

The self-assured look of Geert Wilders during the court cases related to his statements about Muslims and Moroccans is understandable. He does not risk a [prison sentence](#) or the loss of political rights, because that does not happen in the Netherlands. It does, however, in Belgium, where the chair of Front National, Daniel Féret, besides a community service order, was not allowed to stand for election for 10 years from 2006 onward. In Germany, NPD leader Günter Deckert was imprisoned for two years in 1995 after making anti-Semitic statements.

## **Drop in level of trust in politics**

Political scientist Joost van Spanje dug up these examples after his research into five court cases in European countries against politicians who are prosecuted for their statements. "In the Netherlands, we can remember the cases against Center Democrats Hans Janmaat and Joop Glimmerveen in the 1990s."

In Spain, the focus is on the electoral consequences of such criminal trials and the effect of these on citizens' trust in politics. None of the parties investigated suffered an electoral loss after the prosecution of their leader due to statements that were possibly discriminating, hate-mongering or insulted a group. Wilder's Party for Freedom (PVV) in the Netherlands and the Front National in Belgium even made electoral gains in [opinion polls](#) that were held during the time that the criminal court cases against their leaders were in progress. At the same time, the overall level of trust in politics drops among citizens who are highly critical about the multicultural society. "We saw that effect under about 35% of all citizens."

## **Enormous amount of free broadcasting time**

The Dutch [public prosecutor](#) should consider this knowledge when deciding whether or not to prosecute a [politician](#) for possible hatred-inciting statements, thinks Van Spanje. But the media also need to reflect on what they are doing. "Media attention is very important for politicians. The attention paid to the criminal cases is probably in part responsible for the electoral advantage we saw. The first case against Wilders was transmitted on TV in its entirety, and that was an enormous amount of free broadcasting time."

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